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General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

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NOTIFICATIONS BY GOVERNMENT

HOME DEPARTMENT

Draft Amendments to the Tamil Nadu Motor Vehicles Rules.

[G.O. Ms. No. 548, Home (Transport-VII), 1st December 2021, கார்த்திகை 15, பிலவ, திருவள்ளூர் ஆண்டு-2052.]

No. SRO A-24/2021—The following draft amendments to the Tamil Nadu Motor Vehicles Rules, 1989 which are proposed to be made in exercise of the powers conferred by sections 28 and 38 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) is hereby published for the information of all persons likely to be affected thereby, as required under sub-section (1) of Section 212 of the said Act.

2. Notice is hereby given that the draft amendment will be taken into consideration on or after the expiry of thirty days from the date of publication of this Notification in the *Tamil Nadu Government Gazette* and that any objection or suggestion, which may be received from any person with respect thereto before the date of expiry of the aforesaid period will be considered by the Government of Tamil Nadu.

3. Objection or suggestion, if any, should be addressed in duplicate to the Additional Chief Secretary to Government, Home, Prohibition and Excise Department, Secretariat, Chennai-600 009.

DRAFT AMENDMENTS

In the said Rules, (1) in rule 38 for the side heading "Responsibility of driver of Stage Carriage on which there is no conductor, the side heading "Responsibility of driver when there is no conductor" shall be substituted.

2. (i) in rule 79, after clause (iv), the following proviso shall be inserted there under, namely:-

"Provided that if any male passenger travelling in the vehicle attempts or makes any obscene act, like, staring, leering, whistling, winking or sexually offensive gestures or singing songs, utter words, take any photos or video's or any other form of electronic communication causing annoyance or harassment of a women passenger or girl indulging in any other form of misbehavior with intent to outrage the modesty of the women passengers travelling in the vehicle, the conductor may after the reasonable caution, either, alight the passenger or hand over him to any police station enroute."

(ii) after the clause (xi), the following clauses shall be inserted, namely:-

(xii) shall not, save for good and sufficient reasons touch any women passenger or girl on the false pretext that he is assisting her to get into or getting down the vehicle.

(xiii) shall not ask any inappropriate questions about the intention of travel of a woman passenger or a girl travelling in the vehicle.

(xiv) shall not make any physical contact or any sexually coloured remarks or comments or jokes advancing towards woman passengers or girls involving unwelcome and explicit sexual overtures, such as touching or pinching to indicate indirectly his sexually suggestive innuendos, commonly understood as flirting.

(xv) shall not behave in a way causing annoyance to any passengers, women passengers or girl in specific.

(xvi) may remove any male passenger from the seat he occupies, and ask him to alight the vehicle enroute, if he comes to know on a proper enquiry with other co-passengers that the passenger was involved with unwelcome and explicit sexual overtures as defined under the term "Sexual Harassment" in clause (n) of Section 2 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 (Central Act 14 of 2013).

(xvii) shall maintain a Complaint Book with serially numbered pages to be provided to any passenger for recording his views on the complaints about the shortage of the duties performed by the conductor and shall produce the so maintained books on demand by the Police Officials or the Officials of the Transport Department for the review.

(xviii) shall take the vehicle to a police station which is nearest to the place of incidence and lodge a complaint against the passenger in case of an incident of indecent behaviour, molestation or eve-teasing, etc., against a woman passenger or a girl travelling in the vehicle by any co-passenger which is tantamount to outraging her modesty.

S.K. PRABAKAR,
Additional Chief Secretary to Government.